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**To:** US Patent and Trademark Office  
Fax number: 0011 1 703 872 9306

**Date:** 17/12/2004

**Pages:** 9 (including this page)

**Regarding:** US Patent Application No. 10/626,652  
in the name of Scott Basyl Johnston

**Comments:**

Dear Sirs,

Please find following my response to the outstanding Office Action due 17 December 2004  
including new claims and drawings.

Scott Johnston

## Facsimile from

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**Fascimile No: 0011 1 703 872 9306**  
**Confirmation by Courier**

17 December 2004

Dear Sirs

**United States Of America Patent Application No. 10/626,652**  
**in the name of SCOTT BASYL JOHNSTON**  
**Entitled POLE ADVERTISING DEVICE**

The first office action to issue in connection with the above identified application is to hand and we respond herewith.

We note that claims 1 – 16 are pending in the application and that claims 1 – 16 are rejected.

We provide the following comments to assist the Examiner in understanding the inventive merit of the present invention and to overcome all of the objections raised by the Examiner in the office action.

We respectfully point out to the Examiner that a certified copy of the basic Australian application No. 2002950341 had been previously sent to the United States Patent and Trademarks Office. Hopefully, the certified copy is now on the file or that the Examiner has temporarily inadvertently overlooked it. If the certified copy is now not on the file, can we respectfully suggest that the Examiner conduct an investigation as to its whereabouts in the Patent Office.

Regarding the objection of item 2, we are forwarding a revised set of drawings complying with all official requirements of the United States Patent and Trademarks Office and illustrating the inventive features of the present invention. Would you please place the revised drawings on file as substitutes for the original drawings.

Regarding the objection of items 3 to 11, amendments have been proposed to the wording of the revised claims being forwarded herewith so as to overcome each of the Examiner's objections.

It is pointed out to the Examiner that the present invention is now defined in terms of the structure of the sign and each inventive feature of the structure is clearly and positively recited in the claims.. The indefinite functional and operational language of the wording of the claims has been deleted where possible and replaced by positive recitation of structural features.

Regarding the objections raised by the Examiner under 35USC Section 102, we enclose a revised set of claims redefining the invention so as to be novel and inventive over all of the prior art applied by the Examiner.

Further, it is submitted that the novel and inventive features now recited in the claims are clearly disclosed in the drawings and described in the specification as originally lodged.

The present invention now includes a housing (4) having a body portion (10) with a display portion (12) and a collar arrangement (20) in which the collar arrangement is located either at the top of the sign or at the bottom of the sign or at both the top and bottom of the sign. The collar arrangement is provided with an opening for receiving the support element in the form of a pole or post (8). The collar arrangement is made up of individual collar portions (22), (24), (26) of different sizes having at least a part of an opening for receiving the support element. Each collar portion is made up of a flat flange (28) and riser (30). The size of the opening defined by the collar arrangement is adjusted in size by cutting or trimming the flange of a selected one of the collar portions to the required size to fit around the pole so as to enable the housing to be connected to the pole by a suitable fastener.

It is submitted that none of the references, particularly due to Olsen (US6186454) and Hutton (US5560093) describe the specific arrangement now recited in claim 1. Neither Olsen nor Hutton disclose or even suggest a collar arrangement having collar portions which include flanges and risers arranged in stepped relationship so that the selected flange can be cut or trimmed to the desired size to accommodate the support pole enabling the housing to be securely connected to the pole.

The amendments proposed to the revised claims is that all of original claims 1 – 16 are to be cancelled and a new set of claims, new claims 17 – 32 are to be inserted in place of the original 16 deleted claims.

We respectfully request favourable reconsideration of this response by the Examiner, and look forward to receiving the Examiner's further report that this application is in order for allowance.

Yours faithfully,



Scott Basyl Johnston